

## Contacts

Roger West FAA  
[REDACTED]  
[REDACTED]  
[REDACTED]

Harvey Mesler Oakland county airport  
[REDACTED]  
[REDACTED]

Various police and fire fighters

Plane is now at Oakland Troy Airport, hanger A2 and is secured.

## **Narrative on N4864S accident on 9/24/2009 from Robert Jeffrey King (pilot)**

On 9/24/09, I flew from Holland (KBIV) to Troy (KVLL) to visit my sister. The flight was uneventful. I burned off 5 gallons of fuel from the left tank, then 5 gallons from the right. I swithed the mains (left to right) near Lansing. Over Howell airport, I switched to the left tip tank, where I remained. I was on VFR advisories all the way to the troy airport.

I locked the plane up and rode my bike to my sisters home.

At about 8pm (from memory) I returned to my plane to go from Troy (KVLL) to Hillsdale (KJYM). I did a normal pre-flight, including checking the fuel. Both tips had clear fuel and where almost full. I remained on the left tip tank and did not switch the tank selector.

After checking the weather/winds, I went to runway 9, and did my runup. All seemed normal, mags checked, and the engine analyzer showed normal operation. I went to the end of the runway, with 0 degree flaps, held the brakes and applied full throttle. Again, all normal. The plane quickly accelerated and I did a practice short field takeoff. (20 degree flaps, remain in ground effect, then climb out). Again, normal and the plane performed well due to the lower weight. As I cleared the end of the runway, I backed the flaps out to 10 degrees. Shortly after that I noticed a quick lose of power so I started to turn back towards the field. Power then went out completely and all I could do was aim for the edge of a parking lot/field. I did briefly check the fuel settings but I was too low to do much of a checklist and when the stall light flickered, I put my full attention to flying the plane.

I pushed the nose down hard so as not to go into a full stall, and then applied more flaps to reduce my speed and generate more lift. The stall light went off. I feel this was the only option I had and steered the plane in the direction of the least obstacles/vehicles. I

hit the parking lot hard however the cabin remained intact and I tried to control the plane. As I was sliding the right wing tip hit something and burst into flames. I went over the embankment and came to a stop in a field. I then exited the plane as quickly as possible as the right wing was on fire; I got out so quick was almost hit by a plane wheel as it was bouncing across the parking lot.

As the plane was on fire, I left the immediate area to the safety of the wal mart parking lot. The area around a tree was also on fire, perhaps a 20-30 foot radius. The onlookers coming towards me didn't realize I was the pilot and I had to tell them no-one was in the plane. I asked them to call 911 as I was dazed. One of them handed me the phone and I spoke with E911. I do not recall the conversation very well.

When the fire trucks arrived, I asked a fireman to come with me so I could switch off the master switch (for safety). The tip tank fire had been extinguished by then. He broke out the side window, and while he watched me, I shut off the master switch. I believe someone later shut off every single switch but the switches where in proper flight configuration. It was either immediately before this, or immediately after this, that I asked one of the firefighters to photograph the interior of the plane. I am positive the control quadrant was photograph before I turned off the ignition switch as I insisted it be done. I only did both these actions to insure the safety of those around. The ELT had also been triggered, and this was also shut off. No flight or fuel controls where touched.

Harvey Mesler and myself checked the left tip tank, and it was full of fuel. The right tip tank had been sheared off, but by the size of the fire, it contained plenty of fuel. Harvey indicated both mains where empty, and I was aware of this prior to the flight (I was using the left tip tank). The fuel switch was on the left tip, I did not touch it.

Flaps where still in a deployed position.

I then went to the EMS truck where I was checked. I had a small bump on my head, likely from hitting the ceiling of the plane when it impacted the ground.

A police officer (I think Clawson) came into the EMS truck and asked if I had been drinking. I said no. He wanted to know if I wanted to take some kind of breath test (forget the name). I said I would if the FAA wanted me to. More on this in a bit.

Later I went out of the EMS truck after the news crews had left. The FAA, a roger west, had called Harvey Mesler. I briefly described what happened to him and he gave me his contact info. He said he would be looking into this on Friday. Roger said it was OK that I remove my personal belongings and I handed the phone to Harvey so Roger could tell him as well.

I removed all my personal belongs and also Harvey walked the path of the crash with me. I appear to have hit hard in the center of the walmart lot. Slide hitting a cart coral, then hit a tree with took the fuel tank off and started a large fire, then went over an embankment and ended up in a field.

I mentioned to Harvey the breath test request, and he said I should take it. So I went back to the police ( Only Troy police where there then) and I blew a 0.000. The police did not think I was drinking (and of course I wasn't) but I still wanted to do it since perhaps the officer thought I had refused.

I have no idea why my engine failed as everything should be as it was.



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**SUBJECT:** Official Flight manual for N4864S  
**FROM:** king.robert.j [REDACTED]  
**TO:** foxt [REDACTED]  
**SENT:** Wed 21 Oct 2009 09:43:04 EDT  
**EXPIRES:** Wed 04 Nov 2009 09:43:04 EST

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Mr. Fox:

I recovered my Airplane Flight Manual on 10/20/09 from the FAA. At that time, I also meet with Wes Shartle and Rick Anderson, also of the FAA. I've scanned a copy in of this official flight manual, and sent it via the NTSB secure server due to its size. Mr. Anderson/Shartel, I will forward you a copy direct (it is 6 megs).

Mr. Anderson went though the Airplane Flight Manual with me yesterday, and we could not find any reference in it to prohibitions or recommendations on mains vs. tip tanks on takeoff. It would seem my using the tip tank on takeoff, as others and I commonly use on the PA32, is not outside the scope of the proper operation of this airplane, at least according to its official flight manual. As there seemed to be some confusion regarding this during our last phone call, I encourage you to contact Mr. Anderson to confirm this.

I believe the confusion stems from later unofficial owner's handbook's, which makes a recommendation to take off on the fullest main. And even in this case, it is confusing. First, it is a recommendation not a requirement, and secondly, this recommendation for "take off" is buried in the cruise section. Absolutely no mention of this in the take-off section on the one I reviewed. I'll speak of this further at the end.

Mr. Shartle/Mr. Anderson and myself also went over the fuel tank de-porting theory I discussed with you last time we spoke. One or both of them seemed to think it might be tangible considering the placement of the intake as well as my attitude. I'll discuss this below. However, I need to emphasis that this is just a theory, I do not know why the engine stopped or can I attribute it to any pilot error I would have had any fore knowledge of.

According to the parts schematic I sent you, the fuel port is on the inside top 1/3 of the tip tank. I was ~1100lbs under gross, during a short field/obstacle avoidance takeoff. At Vx, my deck angle would have been very high, pulling the fuel away from the intake port. And while I have done plenty of tip tank take-off's, I do not recall one with such an aggressive short field takeoff as I did that evening (most where for weight issues when I was near gross on a shorter runway). With any inadvertent right slip, or leaving in P factor correction after the nose down, it would additionally pulled the fuel away from the port. And going from 25 degrees to 10 degrees flaps, and the attendant nose down, as I did seconds before the power loss, might have set up some sloshing in the tank.

Turning left towards my emergency field could have made the problem even worse being I was on the left tip. The tip tanks take 11 seconds to fill the lines via gravity (see manual). With a dropped left tip, this would lengthen the time, and potentially not even allow the fuel line to refill. Additionally, the engine stop, start then stop, as both a witness and I reported, is not consistent with standard fuel exhaustion in my experience in this plane. It is however consistent with my first scenario on climb out (the first power lose), then regaining power only to lose it again as I had started to turn left. I was very likely in an unusual attitude until at least the time you see my spot light on Wal-Mart's parking lot, and which time I was setting up for the landing. I believe less then 11 seconds then elapsed between this time and the prop strike on the ground.

I want to make clear I am interested in learning what happened, if that is possible, both for myself and other pilots in case a prohibition/placard on tip tank takeoff's is warranted. My manual had absolutely nothing on this, and later manuals are confusing at best (take-off recommendations in the cruise section). As you appeared to be focusing on tank selections, I want this to be a consideration. Also, to reiterate, I definitively was on the left tip tank. My flight was also an unusual configuration; I do not believe I ever did a short field, obstacle avoidance takeoff so far under gross, on tip tanks. This, in conjunction with the dropped left wing, may have exposed a weakness in the design that other pilots need to know about in no uncertain terms.

Just my thoughts.

Please keep me in the loop and let me know how I can help.

Regards,

Jeff King

ATTACHMENT FILENAME	TYPE	SIZE
<input checked="" type="checkbox"/>  <a href="#">N4864S_Flight_Manual001.pdf</a>	Adobe Acrobat Document	6.22 MB
All Save Checked Files		

## Fox Todd

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**From:** Jeff King [REDACTED]  
**Sent:** Tuesday, October 27, 2009 11:59 PM  
**To:** Fox Todd  
**Subject:** Re: Thank you N4864S

Hello Mr. Fox:

This is strictly for information purposes, I'm satisfied as to where we are at.

I couldn't hear very well during our phone call, but I found the name of the witness that observed the crash and reported the power loss. His name is Dave Wright

Here is a statement he made in a video report:

[http://www.myfoxdetroit.com/dpp/news/brads\\_edge/090924\\_plane\\_crash](http://www.myfoxdetroit.com/dpp/news/brads_edge/090924_plane_crash)

I believe he also made a statement to police.

Also, with regards to my familiarity with the feel of the plane during a power loss, I've run a tank dry (on purpose, during a cross country, at high altitude) and the plane does not "double start" like we had here.

I'm also confident if I had power, it was very little on impact. I do agree the prop was rotating.

Again, I'm satisfied at where we left it, just wanted to give you a little bit more data.

Regards,

Jeff King

On Mon, Oct 26, 2009 at 4:49 PM, Fox Todd [REDACTED] wrote:  
No problem, its my job to follow-up on these type of inquiries!

Take care,  
Todd

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**From:** Jeff King [REDACTED]  
**To:** Fox Todd  
**Sent:** Mon Oct 26 16:45:33 2009  
**Subject:** Thank you N4864S

Mr. Fox:

I wanted to thank you for the followup. It was appreciated.

Regards,

Jeff King